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Attorneys for the Debtors

Special Litigation Counsel for Regal Property Holdings, Inc., Richard Neill Trevor Roberts, and Jane Sheridan Roberts

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

Case No.: 13-13969-BTB
Chapter 11
Lead Case

REGAL PROPERTY HOLDINGS, INC.,

Debtors.

In re:

Case No. 13-13968-BTB
Chapter 11
Joint Administration With: 13-13969-BTB

RICHARD NEILL TREVOR ROBERTS and
JANE SHERIDAN ROBERTS,

Debtors.

STIRLING MORTIMER GLOBAL PROPERTY FUND PCC LIMITED,

Plaintiff,

V

RICHARD NEILL TREVOR ROBERTS
and JANE SHERIDAN ROBERTS.

Defendants

Adversary Proceeding No.: 13-01147-BTB

**DECLARATION OF RICHARD NEILL
TREVOR ROBERTS IN SUPPORT OF
MOTION FOR APPROVAL OF
SETTLEMENT AGREEMENT**

Hearing Date: *OST Requested*
Hearing Time: *OST Requested*
Courtroom: 4

I, Richard Neill Trevor Roberts, hereby state as follows under penalty of perjury:

1. I am over the age of 18 and mentally competent.

1 2. I make this declaration in support of the *Motion for Approval of Settlement* (the
 2 “**Motion**”) filed by Regal Property Holdings, Inc., Richard Neill Trevor Roberts, and Jane
 3 Sheridan Roberts, (the “**Debtors**”) in the above-captioned bankruptcy cases.

4 3. I make this declaration in my individual capacity and as the President of Regal
 5 Property Holdings, Inc.

6 4. I have personal knowledge of the facts stated herein, and, if called upon to testify,
 7 I could and would do so.

8 5. I have reviewed the Motion and factual assertions made therein, and, as to those
 9 of which I have personal knowledge, I affirm the truthfulness and accuracy of such factual
 10 assertions.

11 6. Prior to the filing of the Debtors’ respective bankruptcy cases (the “**Bankruptcy**
 12 **Cases**”), DLA Piper UK (“**DLA**”) had acted on behalf of the Debtors for purposes of the action
 13 brought in England (the “**English Action**”) by Stirling Mortimer Global Property Fund PCC
 14 Limited (“**Stirling**” and, with the Debtors, the “**Parties**”).

15 7. Soon after filing the Bankruptcy Cases, it became clear the Debtors and their
 16 respective bankruptcy estates (the “**Estates**”) could not afford to retain DLA to defend English
 17 Action.

18 8. Furthermore, as the Court is aware, Ms. Roberts and I each have serious health
 19 issues that make travel to England or the participation in the English Action impossible.

20 9. Thus, I and the other Debtors determined Lionel Sawyer & Collins (“**LSC**”)
 21 would serve as lead counsel for all issues related to the various actions brought by Stirling.

22 10. Thereafter, I and the other Debtors informed DLA that they would not be retained
 23 by the Debtors or the Estates on a going forward basis., and that LSC would serve as the primary
 24 contact for MW with respect to any of Stirling’s proceedings against the Debtors.

25 11. In mid-September of 2013, I directed LSC to contact English counsel for Stirling,
 26 Maitland Walker LLP (“**MW**”), in an attempt to reach a global resolution of all issues existing

1 between the Parties. Settlement discussions began in earnest in mid-September of 2013, and
2 detailed negotiations continued thereafter, with the Parties reaching an agreement in principle in
3 mid-November of 2013.

4 12. I am familiar with and understand the terms of the settlement between the Parties
5 (the “Settlement”), as such is detailed in the settlement agreement (the “Agreement”).

6 13. As detailed in the Motion, given the uncertain outcome of the litigation between
7 the Parties and the costs of such litigation, I believe the Settlement, as detailed in the Agreement,
8 is fair and equitable and is in the best interests of the Estates and of all parties in interest.

9 14. I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
10 TRUE AND CORRECT. 

Executed on this 17 th day of December, 2013.

~~Richard Neill Trevor Roberts~~

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YEAR

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